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STATE FOR NEA/I, INL/I
JUSTICE FOR TERRY BARTLETT

E.O. 12958: DECL: 01/18/2018
TAGS: [PREL](#) [PGOV](#) [IZ](#)
SUBJECT: IRAQ CORRECTIONS SYSTEM PROBLEMS

Classified By: ROL Coordinator Philip H. Lynch for reasons 1.4 (b)&(d).

SUMMARY

1.(C) Summary. The historical record of corruption within the Iraqi Corrections Service (ICS) is well documented. Two primary examples of this corruption are the recurring problems associated with the prisons located at Rusafa and Baddush. Post has engaged with officials of the Ministry of Justice to discuss remedial actions and set forth proposals designed to accomplish some quantifiable changes within the ICS. End Summary.

HISTORICAL INFORMATION

2.(SBU) The history of corruption within the ICS is evidenced by the recurring escapes, mostly non-violent, from corrections facilities throughout Iraq. However, two key facilities in Rusafa and Baddush have received the most focus based on the number and recency of events. To the extent investigations or assessments of the circumstances were conducted, they each indicated strong, if not irrefutable evidence that officers and employees of the ICS were directly or indirectly involved in the actions that were necessary to facilitate the unauthorized releases detailed below.

RUSAFI PRISON (BAGHDAD PROVINCE)

3.(U) On June 11, 2006, six pretrial detainees were transported to the facility from the Major Crimes Unit. The group included five members of a so-called Shia death squad and a Sunni kidnap victim (believed to be the intended victim of that squad). On August 10, 2006, based on a tip from the Major Crimes Task Force, it was confirmed that the five Shia death squad members were no longer in the custody of the ICS. This incident was never reported by the Ministry of Justice (MOJ).

4.(U) On October 11, 2006, as a group of guards transferred five Sunni inmates to another facility, they came under attack by suspected JAM members. One the prisoners hid from the attackers, but the other four were captured by the JAM group and were presumably killed.

5.(U) On November 22, 2006, three Shia prisoners on death row at the Isktbarat Prison were picked up by a transportation officer for movement to the Rusafa Prison. The transportation officer presented what was later determined to be a fraudulent judicial document indicating the three prisoners were going to be retried. Neither the officer nor

the three prisoners ever arrived at the Rusafa facility.

6.(U) On November 12, 2007, four prisoners on death row at the Isktbarat Prison were moved to the Rusafa Prison based upon a fraudulent judicial order indicating that they were to appear in court for resentencing. Following their arrival at Rusafa, the four inmates were moved by an assistant warden from a high security compound to the medical unit. The assistant warden then enabled the escape by dismissing the corrections officer in his company and leaving the prison with the inmates.

BADDUSH PRISON (NINEWA PROVINCE)

7.(U) On December 9, 2006, a supervisor at the prison presented a document directing that Ayman Sabawai Ibrahim al-Nasiry, Saddam Hussein's nephew, be transferred from one unit to another. Instead, the two proceeded to the main gate, where an unidentified man wearing an Iraqi Police Officer uniform presented a second document that ordered that Ayman be taken to another corrections facility in Tikrit. All three left the prison in a car waiting at the front gate and were not heard from again.

8.(U) On March 6, 2007, some 15 vehicles with as many as 40 armed insurgents attacked and overtook a checkpoint immediately outside of the Baddush Prison. The insurgents persuaded the guards to give them access through the main gate. Once inside, the insurgents proceeded to two different compounds, identified and took custody of 12 Iraqi and 56 foreign inmates-all of whom had been convicted of terrorist related crimes. The entire group of inmates and insurgents escaped and drove northeast towards the Syrian border.

9.(U) In September 2007, an inspection of the prison was conducted based upon continuing concerns that the prisoners-not the guards-were actually in control of the prison. The inspection of all inmates and their cells uncovered more than 200 deadly weapons, including knives, axes, shanks and picks. Additionally, more than fifty cellular telephones, a variety of illegal narcotics, and some anti-American literature was discovered.

10.(U) On November 25, 2007, 60 prisoners were scheduled for transfer from the Baddush Prison to Ft. Suse Prison, in a "round robin" movement of inmates among several facilities. While enroute from the Baddush site to the airfield in Mosul, the group's vehicle convoy was attacked by small arms fire and rocket propelled grenades. During the attack, three prisoners-all unshackled and with their blindfolds removed (presumably by the guards responsible for their custody)-escaped from the convoy.

11.(U) In the wake of the numerous escapes at the Baddush prison, the warden of the facility was taken into and remains in the custody of MNF-I as a security detainee. His detention is based on the premise that he poses a quantifiable threat to public safety and coalition forces.

ENGAGEMENTS WITH GOI CORRECTIONS OFFICIALS

12.(U) During the past 18 months, representatives of the Rule of Law community - including the Senior Advisor to the Ministry of Justice, the Senior Consultant for the International Criminal Investigative Training & Assistance Program (ICITAP), and the Rule of Law Coordinator-have met with MOJ officials to confirm for them the facts related to these escapes and to push for GOI action.

13.(C) The most recent meetings with the Minister of Justice occurred on December 2 and 13, 2007. The Minister made very strong comments regarding the seriousness and level of corruption within the ICS, and in fact proposed numerous remedial actions that he intends to take in response to these

events, including replacing and/or transferring wardens and guards, establishing committees, and appointing new leadership at the highest levels of the ICS. However, while he acknowledged the existence and prevalence of corruption within the ICS, the Minister does not want "Americans to interfere" in ICS affairs. (Comment: Only time will tell if the Minister's actions will speak as loudly as his words. It seems that he understands the ICS needs to change, but whether any change will result from his proposed actions remains to be seen. End comment.)

14.(SBU) We have recommended several actions to the GOI to address the problems described in this cable including the appointment of a professional technocrat-type Minister of Justice who has experience with corrections issues and will make reform an immediate priority; the appointment of new Director General of Corrections by the new or current Minister of Justice who has the authority to make immediate and broad changes-including the termination of corrupt guards within the ICS; the termination of more than three hundred corrections officers at Baddush prison for their involvement in the escapes at that location over the past 18 months; timely and thorough investigations all prisoner escapes to identify the responsible persons within the ICS; and the establishment of effective and universal training of Iraqi Corrections Officers on fundamental techniques and professional corrections practices-including training on human rights, operational efficiencies, and non-sectarian conduct.

COMMENT

15.(C) The widespread corruption within the ICS at locations such as Rusafa and Baddush demonstrate the need for the GOI to take prompt actions to remedy the state of corrections within Iraq. Without enactment of key reforms, such as those proposed above, it is unlikely the ICS will evolve into a professional and modern system that critical to the future of the nation built upon the rule of law.
CROCKER